IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

-

WRIT PETITION NO : 17336 of 2004

Between:

Blue Star Convent High School,

Pithapuram, East Godavari District,

Rep. by its Correspondent.

..... PETITIONER

AND

1. State of Andhra Pradesh,

rep. by its Secretary to Government,
School Education Department,

Secretariat, Saifabad, Hyderabad.

2. The Director of School Education,

Andhra Pradesh, Hyderabad.

3. The District Educational Officer,

Kakinada, East Godavari District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not releasing and paying the maintenance Grant in terms of G.O.Ms.No.320, Education Department

dt.16.9.1994, as illegal, arbitrary and issue a consequential direction to the respondents to pay the same.

Counsel for the Petitioner: MR.B.P.RAJU

Counsel for the Respondents: GP FOR EDUCATION

The Court made the following:

ORDER:

This writ petition has been filed by Blue Star Convent High School, Pithapuram, seeking to declare the action of the respondents in not releasing and paying the Maintenance Grant in terms of G.O.Ms.No.320, Education Department, dated 16.09.1994, as arbitrary and illegal.

2. When the matter is taken up for consideration, it is represented by the learned counsel for the petitioner as well as the Government Pleader for School Education appearing for the respondents that the issue involved in this writ petition is squarely covered by the decision of this court in W.P.No.19253 of 2001 dated 17.09.2001.

3. In such situation, following the decision in W.P.No.19253 of 2001 dated 17.09.2001, this writ petition is disposed of with a direction to the respondents to release the Maintenance Grant to the petitioner-School in terms of G.O.Ms.No.320, Education Department, dated 16.09.1994 within a period of two months from the date of receipt of a copy of this order. No costs.

_____

B.SESHASAYANA REDDY,J.

Date: 12th July 2005.

BSB

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary to Government,

State of Andhra Pradesh,

School Education Department,

Secretariat, Saifabad, Hyderabad.

2. The Director of School Education,

Andhra Pradesh, Hyderabad.

3. The District Educational Officer,

Kakinada, East Godavari District.

4. Two CCs to the Govt. Pleader for School Education,

High Court of A.P., Hyderabad (OUT).

5. Two CD copies

6. 1 CC to MR.RAJU

*Form-NIC-OGS/WP{**MPL**}*